

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Mikail Abdullah, #185870,)	
)	
Plaintiff,)	Civil Action No. 6:08-868-RBH-WMC
)	
vs.)	<u>REPORT OF MAGISTRATE JUDGE</u>
)	
Doris Poole, S. Patterson, Lee)	
Correctional Institution, Mr. Oberman,)	
Mrs. York, Lisa Miller,)	
)	
Defendants.)	
)	

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. On May 5, 2009, the defendants filed a motion for summary judgment. On May 6, 2009, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. On June 22, 2009, the envelope containing the *Roseboro* order was returned to this court marked "Undeliverable ... Released Furlough."

By order of this court filed April 4, 2008 (doc. 6), the plaintiff was advised of his responsibility to notify the court in writing of any change of address. As the plaintiff has failed to keep the court apprised of his whereabouts, it appears he no longer wishes to pursue this action.

Accordingly, it is recommended that this action be dismissed for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989), *cert. denied*, 493 U.S. 1084 (1990).

June 24, 2009
Greenville, South Carolina

s/William M. Catoe
United States Magistrate Judge